

Representative Hall, Atlanta, Georgia**Thursday, January 26, 2006**

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Amerson	Davis	Houston	Marin	Scheid
Bearden	Dickson	Howard, E	Martin	Scott, A
Benton	Dukes	E Hudson	May	Scott, M
Black	Ehrhart	Hugley	McCall	Sheldon
Bridges	England	Jackson	E McClinton	Sims, F
Brooks	Everson	James	Meadows	Smith, L
Bruce	E Floyd, H	Jenkins	Mills	Smith, P
Bryant	Forster	Jennings	E Morris	Smith, R
Buckner, D	Franklin	Johnson	Mosby	Smith, T
Buckner, G	Freeman	Jones, J	Mosley	Smith, V
Burkhalter	Geisinger	Jones, S	Mumford	E Stanley-Turner
Burmeister	Graves, D	Keen	Murphy, J	Stephens
Burns	Graves, T	Keown	Murphy, Q	Talton
Butler	Greene	Kidd	Neal	Teilhet
Byrd	Hanner	Lakly	O'Neal	Thomas, B
Carter	Hatfield	Lane, B	Parham	Tumlin
Casas	Heard, J	Lane, R	Parrish	Warren
Chambers	Heard, K	Lewis	Parsons	Wilkinson
Cheokas	Hembree	Lindsey	Reece, B	Williams, A
Cole	Hill, C	Lord	Rogers	Williams, E
Coleman, B	Hill, C.A	Loudermilk	Royal	Williams, R
Cooper	Holmes	Maddox	Rynders	Yates
Cox	Holt	Manning	Sailor	Richardson,
Cummings	Horne			Speaker

The following members were off the floor of the House when the roll was called:

Representatives Abdul-Salaam of the 74th, Anderson of the 123rd, Barnard of the 166th, Barnes of the 78th, Beasley-Teague of the 65th, Bordeaux of the 162nd, Borders of the 175th, Brown of the 69th, Channell of the 116th, Coan of the 101st, Crawford of the 127th, Dodson of the 75th, Drenner of the 86th, Fleming of the 117th, Floyd of the 147th, Fludd of the 66th, Gardner of the 57th, Golick of the 34th, Harbin of the 118th, Heckstall of the 62nd, Jamieson of the 28th, Jordan of the 77th, Knight of the 126th, Knox of the 24th, Lucas of the 139th, Lunsford of the 110th, Mangham of the 94th, Maxwell of the 17th, Millar of the 79th, Mitchell of the 88th, Morgan of the 39th, Orrock of the 58th, Porter of the 143rd, Powell of the 29th, Ralston of the 7th, Randall of the 138th, Ray of the 136th, Roberts of the 154th, Shaw of the 176th, Sims of the 169th, Sinkfield of the 60th, Smith of the 113th, Smyre of the 132nd, Stephenson of the 92nd,

Thomas of the 55th, Walker of the 107th, Watson of the 91st, Willard of the 49th, and Wix of the 33rd.

They wish to be recorded as present.

Prayer was offered by Dr. Richard Hunter, Hillside United Methodist Church, Woodstock, Georgia.

The members pledged allegiance to the flag.

Representative Heard of the 104th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

By unanimous consent, the following Bills and Resolutions of the House were introduced, read the first time and referred to the Committees:

HB 962. By Representatives Holt of the 112th, Burkhalter of the 50th, Watson of the 91st and Floyd of the 99th:

A BILL to be entitled an Act to amend Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to annexation of territory, so as to provide for a short title; to establish state policy regarding annexation; to provide that no municipality may annex property in which certain services

are provided by the county or which is included in the county's comprehensive zoning plan unless the county consents; to provide for an injunction; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs.

HB 1121. By Representatives Smith of the 131st, Smith of the 129th, Yates of the 73rd, Warren of the 122nd, Smith of the 168th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxes, so as to provide for an exemption with respect to sales of certain tangible personal property used in direct connection with the construction or improvement of the National Infantry Museum and Heritage Park at Fort Benning; to provide for procedures, conditions, and limitations; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 1122. By Representatives Ray of the 136th and James of the 135th:

A BILL to be entitled an Act to amend an Act providing for a homestead exemption from Peach County School District ad valorem taxes for educational purposes in the amount of \$20,000.00 of the assessed value of the homestead for certain residents of that school district whose annual income does not exceed \$20,000.00 and who are 65 years of age or older or disabled, approved April 1, 1995 (Ga. L. 1995, p. 4181), so as to increase the amount of such exemption and the income cap applicable to such exemption; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1123. By Representatives Lane of the 167th, Keen of the 179th, Stephens of the 164th, Hill of the 180th and Carter of the 159th:

A BILL to be entitled an Act to amend Code Section 12-5-287 of the Official Code of Georgia Annotated, relating to leasing of state owned marshland or water bottoms, so as to change the fee for the lease of marshlands or water bottoms; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

HB 1124. By Representatives England of the 108th and Benton of the 31st:

A BILL to be entitled an Act to provide an additional homestead exemption from Barrow County school district ad valorem taxes for educational purposes in the amount of \$60,000.00 of the assessed value of the homestead after a four-year phase-in period for residents of that school district who are 62 years of age or over and whose federal total income does not exceed certain federally specified poverty guidelines; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1125. By Representatives Day of the 163rd, Amerson of the 9th, Yates of the 73rd, Talton of the 145th and Murphy of the 23rd:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate honoring members of the merchant marine; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such special license plates; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Motor Vehicles.

HB 1126. By Representative Barnard of the 166th:

A BILL to be entitled an Act to amend Code Section 45-18-10 of the Official Code of Georgia Annotated, relating to the right of continuation of insurance benefits for former state employees, so as to provide an exemption from the eight-year service requirement for correctional officers injured by inmate violence when five years or less from becoming eligible for medicare medical coverage; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Institutions & Property.

- HB 1127. By Representatives Drenner of the 86th, Benfield of the 85th, Henson of the 87th, Thomas of the 55th and Ashe of the 56th:

A BILL to be entitled an Act to amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the public water system, so as to revise provisions relating to the allocation of water and waste-water usage among tenants; to amend Article 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlords and tenants generally, so as to require landlords to provide heat and hot water to all tenants of multi-family dwellings and to every tenant occupied one or two family dwelling; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 1128. By Representatives Drenner of the 86th, Benfield of the 85th, Henson of the 87th, Loudermilk of the 14th, Chambers of the 81st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to organization and administration of emergency management, so as to require the Georgia Emergency Management Agency to establish a state-wide planning and mapping system for the public buildings in this state to the extent money is available for such a system; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Defense & Veterans Affairs.

- HB 1129. By Representative Benfield of the 85th:

A BILL to be entitled an Act to amend Part 2 of Article 4 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to claims against the state or departments or agencies of the state, so as to provide that certain awards to persons for wrongful incarceration shall not constitute a payment which is treated as ordinary income; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

- HB 1130. By Representatives Oliver of the 83rd, Willard of the 49th, Lindsey of the 54th and Teilhet of the 40th:

A BILL to be entitled an Act to amend Titles 10, 29, and 53 of the O.C.G.A., relating respectively to commerce, guardian and ward, and wills, trusts, and administration of estates, so as to correct cross-references from the enactment of Ga. L. 2004, p. 161; to allow temporary petitions for guardianships to be filed in the county where the minor is located under certain circumstances; to provide for distribution of the estate of an intestate minor or adult ward by the conservator; to provide for payment of expenses of certain hearings under certain circumstances; to change the amount of the funds for which a probate judge can be legal custodian; to change provisions relating to satisfaction of requirements of authentication or exemplification; to allow probate court judges to hold certain funds for a missing heir or beneficiary under a decedent's will; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 1131. By Representatives Heard of the 104th, England of the 108th, Freeman of the 140th, Keown of the 173rd and Maddox of the 172nd:

A BILL to be entitled an Act to amend Chapter 80 of Title 36 of the O.C.G.A., relating to general provisions relative to counties, municipal corporations, and other governmental entities, Chapter 3 of Title 44 of the O.C.G.A., relating to regulation of specialized land transactions, and Article 3 of Chapter 5 of Title 44 of the O.C.G.A., relating to covenants and warranties, so as to state the public policy of this state is to permit citizens to participate in government and engage in the expression of political speech, including patriotic expression, and is a consequence of the state's sovereign right to promote the general welfare of the public by protecting political speech; to provide for retroactive application; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 1132. By Representatives Forster of the 3rd, Neal of the 1st and Dickson of the 6th:

A BILL to be entitled an Act to amend an Act placing the judge of the probate court and the clerk of the Superior Court of Catoosa County, Georgia, on an annual salary in lieu of fees, approved February 20, 1959 (Ga. L. 1959, p. 2047), as amended, so as to increase the clerical help allowance of the clerk of the Superior Court of Catoosa County; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

- HB 1133. By Representatives Smith of the 168th, Mosley of the 178th, Sims of the 169th, Walker of the 107th, Carter of the 159th and others:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the O.C.G.A., relating to competencies and core curriculum for elementary and secondary students under the "Quality Basic Education Act," so as to provide for the offering of state funded high school courses in the History and Literature of the Old Testament Era and the History and Literature of the New Testament Era; to provide for the adoption of the curricula for such courses by the State Board of Education; to provide for the topics of instruction, reading materials, and methods of teaching in such courses; to require certain training for teachers of such courses; to provide for certain matters relating to the employment and assignment of teachers of such courses; to provide for the granting of academic credit for the successful completion of such courses; to provide for the monitoring of the content and teaching of such courses; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education.

- HB 1134. By Representatives Maddox of the 172nd, Floyd of the 147th, Royal of the 171st, Ray of the 136th, Black of the 174th and others:

A BILL to be entitled an Act to amend Code Section 27-3-15 of the Official Code of Georgia Annotated, relating to season and bag limits, promulgation of rules and regulations by the board, possession of more than bag limit, and reporting number of deer killed, so as to change certain provisions relating to closed seasons for deer; to change certain provisions relating to open seasons, bag limits, and antler restrictions for deer; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Game, Fish, & Parks.

- HB 1135. By Representatives McCall of the 30th, Royal of the 171st, Crawford of the 127th, Roberts of the 154th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, so as to provide an exemption for certain sale or use of electricity or fuel used to power machinery or equipment used on farms or forests; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ways & Means.

HB 1136. By Representatives Floyd of the 147th and James of the 135th:

A BILL to be entitled an Act to authorize the Magistrate Court of Dooly County to charge a technology fee for each civil case filed and criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for review and reports; to provide for adjustment of such fee; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1137. By Representatives Geisinger of the 48th, Jones of the 46th, Rice of the 51st and Burkhalter of the 50th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 46, 48, 50, and 51; to provide for the election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Legislative & Congressional Reapportionment.

HR 1128. By Representative O'Neal of the 146th:

A RESOLUTION creating the House Business Incentive Study Committee; and for other purposes.

Referred to the Committee on Ways & Means.

HR 1129. By Representative Ashe of the 56th:

A RESOLUTION urging the Georgia Department of Education to assess how Georgia's school districts are promoting learning in and through the arts; and for other purposes.

Referred to the Committee on Education.

HR 1154. By Representatives Buckner of the 76th, Greene of the 149th, Crawford of the 127th, Dukes of the 150th, Black of the 174th and others:

A RESOLUTION creating the House Study Committee on the Georgia State Patrol; and for other purposes.

Referred to the Committee on Public Safety.

By unanimous consent, the rules were suspended in order that the following Bills and Resolution of the House could be introduced, read the first time and referred to the Committees:

HB 1148. By Representatives Amerson of the 9th, Bridges of the 10th, Reece of the 27th and Jenkins of the 8th:

A BILL to be entitled an Act to amend Code Section 15-6-2 of the O.C.G.A., relating to the number of superior court judges for each judicial circuit, so as to create a new fifth superior court judgeship for the Enotah Judicial Circuit; to provide for the initial appointment, election, and term of office of such judge; to provide for the qualifications and for the compensation, salary, and expense allowance of such judge to be paid by the State of Georgia and the counties comprising the judicial circuit; to provide for jurors; to authorize the judges of said circuit to divide and allocate the work and duties thereto and provide for the duties of the chief judge and presiding judges; to provide for powers, duties, and responsibilities of judges of said circuit; to provide for additional court reporters and personnel and the compensation of such reporters and personnel; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 1149. By Representatives Keen of the 179th and Lane of the 167th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 167 and 179; to provide for the election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Legislative & Congressional Reapportionment.

HR 1159. By Representatives Henson of the 87th, Benfield of the 85th, Drenner of the 86th, Manning of the 32nd, Chambers of the 81st and others:

A RESOLUTION urging and requesting the Department of Community Health, the Department of Human Resources, and the Insurance Department to jointly undertake a study of health insurance coverage for the treatment of

obesity, including the compilation of data on the treatment of severe or morbid obesity through bariatric surgery.

Referred to the Committee on Insurance.

By unanimous consent, the following Bills and Resolution of the House were read the second time:

HB 1094	HB 1109
HB 1095	HB 1110
HB 1096	HB 1111
HB 1097	HB 1112
HB 1098	HB 1113
HB 1099	HB 1114
HB 1100	HB 1115
HB 1101	HB 1116
HB 1102	HB 1117
HB 1103	HB 1118
HB 1104	HB 1119
HB 1105	HB 1120
HB 1106	HR 1124

Representative Smith of the 168th District, Chairman of the Committee on State Planning and Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning and Community Affairs - Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 1077	Do Pass	HB 1079	Do Pass
HB 1078	Do Pass	HB 1087	Do Pass

Respectfully submitted,
/s/ Smith of the 168th
Chairman

Representative Day of the 163rd District, Chairman of the Committee on Public Safety, submitted the following report:

Mr. Speaker:

Your Committee on Public Safety has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 465 Do Pass, by Substitute
HB 1019 Do Pass, by Substitute

Respectfully submitted,
/s/ Day of the 163rd
Chairman

The following report of the Committee on Rules was read and adopted:

HOUSE RULES CALENDAR
THURSDAY, JANUARY 26, 2006

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 9th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

HB 895 Judicial Retirement System; superior court judge or district attorney;
 creditable service
HB 999 Veterinarians and veterinary technicians; certain requirements; change
 provisions

Modified Open Rule

None

Modified Structured Rule

None

Structured Rule

None

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Ehrhart of the 36th
Chairman

By unanimous consent, the following Bills of the House were taken up for consideration and read the third time:

HB 1077. By Representative Jenkins of the 8th:

A BILL to be entitled an Act to provide that future elections for the office of probate judge of Rabun County shall be nonpartisan elections; to provide for submission of this Act under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1078. By Representative Greene of the 149th:

A BILL to be entitled an Act to create the Randolph County Water and Sewer Authority and provide for its activation; to provide for a short title; to provide for definitions; to provide for the purposes, powers, duties, and functions of the authority and authorize certain contracts and agreements; to provide for the membership and appointment of members of the authority and their terms of office, qualifications, duties, powers, methods of filling vacancies, compensation, and expenses; to provide for organization, meetings, and quorum of the authority; to provide for an attorney of the authority; to provide for an audit and budgets; to authorize the authority to contract with others regarding its functions, to contract with others pertaining to the use of the utilities and facilities of the authority, and to execute leases and do all things necessary or convenient for the operation of such undertakings or projects; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1079. By Representative Greene of the 149th:

A BILL to be entitled an Act to provide a board of elections for Randolph County; to define its powers and duties concerning primaries and elections; to define certain terms; to provide a method for appointment, resignation, and removal of its members; to provide for the qualifications and terms of its

members; to provide for a chairperson, clerical assistants, and other employees; to provide for compensation of such persons and the members of the board; to provide for facilities; to relieve the judge of the probate court from certain responsibilities; to provide for submission under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1087. By Representatives Mosley of the 178th, Lane of the 167th and Smith of the 168th:

A BILL to be entitled an Act to increase the number of directors on the board of the Wayne County Industrial Development Authority established by Ga. L. 1964, p. 1002 (Res. Act No. 167; S.R. 147) and carried forward as part of the Constitution of the State of Georgia by Ga. L. 1987, p. 3805 (Act No. 141; HB 940), from seven to nine, pursuant to the power granted to the General Assembly by paragraph N. in Ga. L. 1964, p. 1002 (Res. Act No. 167; S.R. 147); to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

On the passage of the Bills, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	Scheid
Y Anderson	Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Day	Y Horne	McCall	Scott, M
Y Barnard	Dean	Y Houston	E McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Dodson	Y Hudson	Millar	Y Sheldon
Y Beasley-Teague	Dollar	Y Hugley	Y Mills	Sims, C
Y Benfield	Y Drenner	Y Jackson	Mitchell	E Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Sinkfield
Y Black	Y Ehrhart	Y James	E Morris	Y Smith, B
Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Mumford	Y Smith, R
Y Brooks	Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	E Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Smyre
Y Bryant	Y Fludd	Y Jordan	Oliver	E Stanley-Turner

Y Buckner, D	Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Franklin	Y Keown	Y Orrock	Stephenson
Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Butler	Y Golick	Y Lakly	Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Casas	Y Greene	Lewis	Randall	Y Warren
Y Chambers	Y Hanner	Lindsey	Y Ray	Watson
Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Reese	Y Williams, A
Y Cole	Y Heard, K	N Lunsford	Y Rice	Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bills, the ayes were 138, nays 1.

The Bills, having received the requisite constitutional majority, were passed.

Representatives Barnard of the 166th, Channell of the 116th, Lewis of the 15th, Lucas of the 139th, Mumford of the 95th, Reece of the 11th, and Williams of the 89th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

The following message was received from the Senate through Mr. Eldridge, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bill of the Senate:

SB 382. By Senators Harp of the 29th and Hill of the 32nd:

A BILL to be entitled an Act to amend Titles 5, 7, and 19 of the O.C.G.A., relating respectively to appeal and error, banking and finance, and domestic relations, so as to change provisions relating to the calculation of child support; to clarify the direct appeal process in certain domestic relations cases; to clarify the calculation of the amount of interest on arrearage of child support; to clarify definitions; to provide guidelines for determining the amount of child support to be paid; to change provisions relating to guidelines for calculating child support; to reorganize Code Section 19-6-15, relating to

guidelines for calculating child support, to provide more clarity on the application of such child support; to allow a jury to determine deviations; to provide for related matters; to provide for applicability and an effective date; to repeal conflicting laws; and for other purposes.

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

SR 649. By Senators Johnson of the 1st, Williams of the 19th and Brown of the 26th:

A RESOLUTION congratulating the Court of Appeals of Georgia on the occasion of its 100th anniversary; and for other purposes.

The Senate has adopted by the requisite constitutional majority the following resolution of the House:

HR 1114. By Representative Keen of the 179th:

A RESOLUTION relative to adjournment; and for other purposes.

By unanimous consent, the following Bill of the Senate was read the first time and referred to the Committee:

SB 382. By Senators Harp of the 29th and Hill of the 32nd:

A BILL to be entitled an Act to amend Titles 5, 7, and 19 of the O.C.G.A., relating respectively to appeal and error, banking and finance, and domestic relations, so as to change provisions relating to the calculation of child support; to clarify the direct appeal process in certain domestic relations cases; to clarify the calculation of the amount of interest on arrearage of child support; to clarify definitions; to provide guidelines for determining the amount of child support to be paid; to change provisions relating to guidelines for calculating child support; to reorganize Code Section 19-6-15, relating to guidelines for calculating child support, to provide more clarity on the application of such child support; to allow a jury to determine deviations; to provide for related matters; to provide for applicability and an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

The following members were recognized during the period of Morning Orders and addressed the House:

Chambers of the 81st, Buckner of the 76th, Morgan of the 39th, Henson of the 87th, Reece of the 11th, Brown of the 69th, and Byrd of the 20th.

The following Resolutions of the House were read and referred to the Committee on Rules:

HR 1155. By Representatives Butler of the 18th and Maxwell of the 17th:

A RESOLUTION commending the cast and crew of the Bremen High School one-act competition play, "Mark Twain in the Garden of Eden," for being named Class A State Champions and inviting them to appear before the House of Representatives; and for other purposes.

HR 1156. By Representatives Butler of the 18th and Maxwell of the 17th:

A RESOLUTION commending the Bremen High School Competitive Cheerleading Squad for winning the 2005-2006 State Championship and inviting the team to appear before the House of Representatives; and for other purposes.

HR 1158. By Representatives Davis of the 109th, Yates of the 73rd, Lunsford of the 110th, Watson of the 91st, Mosby of the 90th and others:

A RESOLUTION commending the 8U McDonough Dawgs baseball team; inviting the coaches and players to appear before the House of Representatives; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bills of the House were taken up for consideration and read the third time:

HB 895. By Representatives Yates of the 73rd, Lunsford of the 110th, Knight of the 126th and Powell of the 29th:

A BILL to be entitled an Act to amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, so as to provide that a superior court judge or district attorney who is an active member of the Georgia Judicial Retirement System may obtain creditable service for certain prior service as a circuit-paid assistant district attorney; to provide for application and payment of the full actuarial value of such service; to provide conditions and limitations; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL

To amend Code Section 47-17-1, relating to definitions relative to the Peace Officers' Annuity and Benefit Fund, so as to provide that certain law enforcement officers who are currently members of the Peace Officers' Annuity and Benefit Fund who were transferred to the Department of Driver Services or the Department of Public Safety in certain positions shall be entitled to retain membership in the fund; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 47-17-1, relating to definitions relative to the Peace Officers' Annuity and Benefit Fund, is amended by striking in its entirety paragraph (5) and inserting in lieu thereof the following:

"(5) 'Peace officer' means:

(A) Any peace officer who is employed by this state or any municipality, county, or other political subdivision thereof who is required by the terms of such peace officer's employment, whether by election or appointment, to give such peace officer's full time to the preservation of public order, the protection of life and property, or the detection of crime in this state or any municipality, county, or other political subdivision thereof and who is required by the terms of such peace officer's employment to comply with the requirements of the 'Georgia Peace Officer Standards and Training Act' contained in Chapter 8 of Title 35, provided that, for the purposes of this chapter, any deputy sheriff employed as such by a sheriff of this state shall be deemed to be employed by the county in which such sheriff serves;

(B) Any warden or correction officer of state or county correctional institutions and any warden or correction officer of municipal correctional institutions of a municipality having a population of 70,000 or more according to the United States decennial census of 1970 or any future such census who is required by the terms of his or her employment as such warden or correction officer to give his or her full time to his or her job as such warden or correction officer; and any warden or correction officer of a municipal correctional institution who on or before October 1, 1962, ~~pays~~ paid dues for prior service shall be deemed to have been a member for such periods and shall be entitled to all the rights and benefits to which other members during such periods are entitled, provided that any such warden or correction officer as provided in this subparagraph is required by the terms of his or her employment to comply with the requirements of the 'Georgia Peace Officer Standards and Training Act' contained in Chapter 8 of Title 35;

(C) All employees of the Peace Officers' Annuity and Benefit Fund who are required by the terms of their employment to devote their full time to such job; and any such full-time employee who on or before October 1, 1962, paid dues for prior

service shall be deemed to have been a member for such periods and shall be entitled to all the rights and benefits to which other members are entitled;

(D) Any parole officers who are required by the terms of their employment to devote full time to their job;

(E) Any law enforcement employee of the Alcohol and Tobacco Tax Unit of the Department of Revenue who is required by the terms of his or her employment to devote his or her full time to his or her job as a law enforcer, and any supervisor of such employees who, himself or herself, is assigned to the Alcohol and Tobacco Tax Unit and who is required by the terms of his or her employment to have arrest powers and to enforce the alcohol and tobacco tax laws;

(F) Any person employed by the Department of Transportation who is designated by the commissioner of transportation as an enforcement officer pursuant to Code Section 32-6-29, provided that such enforcement officers shall be entitled to creditable service toward retirement only for membership service rendered after April 5, 1978, and only for membership service which is rendered in such capacity prior to July 1, 2001;

(G) Any full-time identification technician or identification supervisor employed by this state, or any subdivision or municipality thereof, whose duties include the investigation and detection of crime or whose duties are supervisory over those identification technicians whose duties include the investigation and detection of crime in this state, and who ~~has~~ had been considered a member of the Peace Officers' Annuity and Benefit Fund, and paid dues thereto, at any time on or before July 1, 1981; and such identification technicians and identification supervisors shall be deemed to have been members for such prior period of service that dues were paid and shall be entitled to all rights and benefits to which other members are entitled;

(H) Reserved;

(I) Persons in the categories listed below who are required, as a condition necessary to carry out their duties, to be certified as peace officers pursuant to the provisions of Chapter 8 of Title 35, known as the 'Georgia Peace Officer Standards and Training Act':

(i) Persons employed by the Department of Juvenile Justice who have been designated by the commissioner of juvenile justice to investigate and apprehend delinquent and unruly children who have escaped from an institution or facility or have broken their conditions of supervision; any employee of the Department of Juvenile Justice whose full-time duties include the preservation of public order, the protection of life and property, the detection of crime, or the supervision of delinquent and unruly children in its institutions, facilities, or programs, or who is a line supervisor of any such employee, provided that the powers of a peace officer have been conferred upon such person pursuant to Chapter 4A of Title 49;

(ii) Narcotics agents retained by the director of the Georgia Bureau of Investigation pursuant to the provisions of Code Section 35-3-9;

- (iii) Investigators employed by the Secretary of State as securities investigators pursuant to the provisions of Code Section 10-5-10;
 - (iv) Investigators employed by the Secretary of State as investigators for the professional licensing boards pursuant to the provisions of Code Section 43-1-5;
 - and (v) ~~Persons employed by the Department of Motor Vehicle Safety to whom the commissioner of motor vehicle safety has delegated law enforcement powers~~ Department of Driver Services as nonuniformed investigators pursuant to subsection (e) of Code Section 40-16-4 who were transferred to such position from the Department of Motor Vehicle Safety and who were, on June 30, 2006, members of the fund pursuant to Code Section 47-17-41; provided, however, that no such person shall be entitled to obtain any prior creditable service other than actual membership service; and
 - (vi) Persons employed by the Motor Carrier Compliance Division of the Department of Public Safety as law enforcement officers who were transferred to such position from the Department of Motor Vehicle Safety and who were, on June 30, 2006, members of the fund pursuant to Code Section 47-17-41; provided, however, that no such person shall be entitled to obtain any prior creditable service other than actual membership service;
- (J) Any person who was a member of the fund pursuant to the definitions contained in subparagraphs (A) through (I) of this paragraph and who is subsequently promoted to a position of similar duties but broader supervisory duties, if such person's new position requires him or her to comply with the standards contained in Chapter 8 of Title 35, the 'Georgia Peace Officer Standards and Training Act,' and such person retains his or her powers of arrest; and
- (K) Any employee of the Department of Corrections whose full-time duties include the preservation of public order, the protection of life and property, the detection of crime, or the supervision of inmates and detainees or who is a line supervisor of any such employee, provided that all such persons are required to comply with the requirements of Chapter 8 of Title 35, the 'Georgia Peace Officer Standards and Training Act,' in order to hold their positions and in addition have been conferred with the powers of a police officer pursuant to Code Section 42-5-35."

SECTION 3.

This Act shall become effective on July 1, 2006, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2006, as required by subsection (a) of Code Section 47-20-50.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	Y Scheid
Y Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	E Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	E McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
Y Beasley-Teague	Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	E Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Ehrhart	Y James	E Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Brown	E Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	E Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 161, nays 0.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

Due to a mechanical malfunction, the vote of Representative Porter of the 143rd was not recorded on the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Stanley-Turner of the 53rd stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

HB 999. By Representatives Maddox of the 172nd, Burkhalter of the 50th, Keen of the 179th, McCall of the 30th, Ray of the 136th and others:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to change certain provisions relating to exemptions from licensing and registration requirements; to change certain provisions relating to veterinary technicians; to provide for legislative purpose; to authorize the practice of veterinary technology by veterinary technicians under certain circumstances; to change certain provisions relating to application for registration as veterinary technician, qualifications, examination, renewal, applicants registered in other states, and responsibility of the State Board of Veterinary Medicine; to change certain provisions relating to scheduling and administration of examinations, reexamination, and reactivation; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	Y Scheid
Y Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	E Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	E McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	E Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Ehrhart	Y James	E Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	E Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre

Y Bryant	Y Fludd	Y Jordan	Y Oliver	E Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 168, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

Representative Stanley-Turner of the 53rd stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

The following Resolutions of the House and Senate were read and adopted:

HR 1160. By Representatives Johnson of the 37th, Teilhet of the 40th, Wix of the 33rd, Manning of the 32nd and Setzler of the 35th:

A RESOLUTION commending Specialist Raymond Keith Davis, Jr.; and for other purposes.

HR 1161. By Representatives Coan of the 101st, Ehrhart of the 36th and Marin of the 96th:

A RESOLUTION commending Charles R. Ford on becoming an Eagle Scout; and for other purposes.

HR 1162. By Representatives Gardner of the 57th, Harbin of the 118th, Warren of the 122nd, Ashe of the 56th, Scheid of the 22nd and others:

A RESOLUTION recognizing mental illness as a critical health issue,

declaring February 6, 2006, as Mental Health Day at the capitol; and for other purposes.

HR 1163. By Representative Bryant of the 160th:

A RESOLUTION commending Pastor Carl W. Scott Gilliard; and for other purposes.

HR 1164. By Representatives Lewis of the 15th, Loudermilk of the 14th and Graves of the 12th:

A RESOLUTION commending Ried Andrew Prestwood on becoming an Eagle Scout; and for other purposes.

HR 1165. By Representative Byrd of the 20th:

A RESOLUTION commending Ms. LeTrell E. Simpson; and for other purposes.

HR 1166. By Representatives Dodson of the 75th, Ralston of the 7th, Buckner of the 130th, Harbin of the 118th, Smith of the 129th and others:

A RESOLUTION commending the Partnership for Health and Accountability; and for other purposes.

HR 1167. By Representative Burns of the 157th:

A RESOLUTION commending Pastor Paul Hanson; and for other purposes.

SR 649. By Senators Johnson of the 1st, Williams of the 19th and Brown of the 26th:

A RESOLUTION congratulating the Court of Appeals of Georgia on the occasion of its 100th anniversary; and for other purposes.

The Speaker announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned, pursuant to the adjournment Resolution previously adopted by the House and Senate, until 10:00 o'clock, A.M., Tuesday, January 31, 2006.